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PATENT
Docket No.: -23US

On December 18, 2003

By: [Signature]

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Vivian F. Liu et al.

Application No.: 09/929,513

Filed: August 13, 2001

For: **METHOD FOR ANALYZING
CELLULAR EVENTS**

Examiner: Scharaseyon, Jegatheesan

Art Unit: 1647

**RESPONSE TO RESTRICTION
REQUIREMENT**

RECEIVED
DEC 30 2003
TECH CENTER 1600

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Restriction Requirement of September 2, 2003, applicant elects the claims of Group II (claim 11-20) for prosecution at this time. Please cancel the non-elected claims (claims 1-10 of Group I). Please amend the above identified application as shown below.

IN THE CLAIMS:

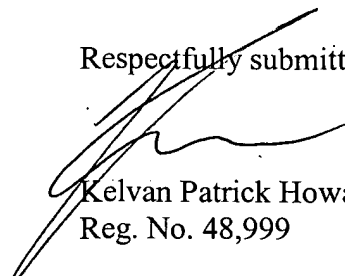
Cancel claims 1-10.

CONCLUSION AND REQUEST FOR TELEPHONIC INTERVIEW

Responsive to the Examiner's Restriction Requirement dated September 2, 2002, the Applicant herewith elects claim group II (claims 11-20) directed to a method for assaying cellular activity. Additionally the applicant cancels claims 1-10. No new matter has been added. Consideration of claims 11-20 is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415.356.3325.

Respectfully submitted,



Kelvan Patrick Howard
Reg. No. 48,999

MDS Sciex, Inc.
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San Francisco, California 94107
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KPH/kph

Amendment Transmittal

MDS Sciex, Inc.
475 Brannan Street
San Francisco, California 94107
(415) 356-3325

In re application of: Vivian F. Liu et al.

Application No.: 09/929,513

Filed: August 13, 2001

Group Art Unit: 1647

For: METHOD FOR ANALYZING CELLULAR EVENTS

THE ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231



Docket No. 23US

Date: 12/18/03

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Sir:

Transmitted herewith are the following documents in the above-identified application.

- ☒ Response to Restriction Requirement;
☒ Return Postcard.

If any extension of time is needed, then this response should be considered a petition therefor.
The filing fee has been calculated as shown below:

(Col. 1)	(Col. 2)	(Col. 3)		
CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	
TOTAL *10	MINUS	** 20	=	0
INDEP. *1	MINUS	*** 2	=	0
[] FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				

SMALL ENTITY		OR	OTHER THAN SMALL ENTITY	
RATE	ADDIT. FEE		RATE	ADDIT. FEE
x \$9.00 =			x \$18.00 =	\$0
x \$42.00 =			x \$86.00 =	\$0
+ \$140.00 =			+ \$280.00 =	\$0
TOTAL ADDIT. FEE		OR	TOTAL	\$0

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, then write "3" in this space. The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

[X] No fee is due.

Please charge Deposit Account No. 502822 as follows:

[] Claims fee

[X] Any additional fees associated with this paper or during the pendency of this application.

NO extra copies of this sheet are enclosed.

MDS Sciex, INC.

Kalyan Patrick Howard, PH.D., Reg. No.: 48,999



1647 #

PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 420.00

Complete if Known

Application Number	09/929,513
Filing Date	August 13, 2001
First Named Inventor	Liu
Examiner Name	Seharaseyon, Jegatheesan
Art Unit	1647
Attorney Docket No.	23US

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit Account Number
502822Deposit Account Name
MDS Sciex, Inc.

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$ 0

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims		Fee from below		Fee Paid	
Total Claims		-20** =		X		=	
Independent Claims		-3** =		X		=	
Multiple Dependent						=	

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 0

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	420
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 420.00

SUBMITTED BY

Name (Print/Type)	Kelvan Patrick Howard	Registration No. (Attorney/Agent)	48,999	Telephone	415-356-3325
Signature		Date	12/18/03		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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